

1 PAUL A. LEVIN (State Bar No. 229077)
2 MORTGAGE RECOVERY LAW GROUP LLP
3 550 North Brand Boulevard, Suite 1100
4 Glendale, California 91203
5 TELEPHONE: (818) 630-7900 FACSIMILE: (818) 630-7920
6 EMAIL: plevin@themrlg.com

7 ETAN MARK (admitted *pro hac*)
8 DONALD J. HAYDEN (admitted *pro hac*)
9 YANIV ADAR (admitted *pro hac*)
10 MARK MIGDAL & HAYDEN
11 80 SW 8th Street, Suite 1999
12 Miami, Florida 33130
13 TELEPHONE: (305) 374-0440
14 EMAIL: etan@markmigdal.com
15 don@markmigdal.com
16 yaniv@markmigdal.com

17 Attorneys for Plaintiffs

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

20 MICHAEL LAVIGNE, *et al.*,
21 Plaintiffs,
22 vs.
23 HERBALIFE LTD., *et al.*,
24 Defendants.

CASE NO. 2:18-cv-07480-JAK (MRWx)
[Related Case 2:13-cv-02488-BRO-RZ]

**NOTICE OF LODGING OF RECENT
AUTHORITY IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Assigned to Hon. John A. Kronstadt
Courtroom 10B

1 TO THE COURT AND ALL THE PARTIES AND COUNSEL ON RECORD:

2 Plaintiffs Patricia Rodgers, Jennifer Ribalta, and Izaar Valdez lodge this Notice
 3 of Recent Authority in support of Plaintiffs' Motion for Class Certification (ECF No.
 4 207). Attached as **Exhibit A** is a copy of *Olean Wholesale Grocery Coop., Inc. v.*
 5 *Bumble Bee Foods LLC*, 19-56514, 2021 WL 3355496, at *1 (9th Cir. Aug. 3, 2021)
 6 (the "Vacatur Decision"), vacating the decision in *Olean Wholesale Grocery Coop.,*
 7 *Inc. v. Bumble Bee Foods LLC*, No. 19-56514, 2021 WL 1257845 (9th Cir. Apr. 6,
 8 2021) (the "Vacated Decision"). Defendant Herbalife International of America, Inc.
 9 ("Herbalife") previously lodged a Notice of Recent Authority (ECF No. 351) claiming
 10 the Vacated Decision "forecloses class certification in this case for two reasons." ECF
 11 No. 351 at p. 2. As noted by the Vacatur Decision, the Vacated Decision no longer
 12 supports Herbalife's position.

13
 14 DATED: August 19, 2021

Mark Migdal & Hayden

15 By: /s/ Etan Mark

16 Etan Mark, Esq.

17 Attorneys for Plaintiffs Patricia Rodgers,
 18 Jennifer Ribalta, and Izaar Valdez
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28